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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
**(HONORABLE WILLIAM Q. HAYES)**

18 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND  
ANNE K. PERRY, ASSISTANT UNITED STATES ATTORNEY:

20 PLEASE TAKE NOTICE that, on August 4, 2008 at 2:00 p.m., or as soon thereafter as counsel may  
21 be heard, defendant, Luis Gomez, by and through his attorneys, Erick L. Guzman, and Federal Defenders of  
22 San Diego, Inc., will ask this Court to enter an order granting the following motions.

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## **MOTIONS**

Defendant, Luis Gomez, by and through his attorneys, Erick L. Guzman, and Federal Defenders of San Diego, Inc., asks this Court, pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules, for an order to:

- (1) Dismiss the indictment due to an invalid deportation.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

DATED: July 30, 2008

/s/ Erick L. Guzman  
ERICK L. GUZMAN  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Gomez  
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